

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

3 SEPTEMBER 2004

Refer to: P/N # 2004-1Z-213-W

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

GENE CONYERS
c/o FOLK LAND MANAGEMENT, INC.
4964 WHITE HALL ROAD
GREEN POND, SOUTH CAROLINA 29446

for a permit to construct a greentree reservoir and a road in wetlands along an unnamed tributary of

FELLOWSHIP BRANCH

on property located adjacent to and north of Buckhorn Drive (S-14-645), approximately 2 miles southwest of Manning, in Clarendon County, South Carolina (Latitude – 33.6645°, Longitude – 80.2434°).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 4 OCTOBER 2004

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of two separate activities: constructing a greentree reservoir and a road. The applicant has already constructed a road across the downstream end of the proposed greentree reservoir by filling 0.01 acres of wetlands and installing an 18" metal pipe. The road is to serve a dual purpose as an embankment for the greentree reservoir. Proposed activities to complete the greentree reservoir include installing a metal riser on the existing pipe and placing approximately 32 yds³ of additional fill over the existing road crossing to raise its elevation by 2'. Approximately 6.75 acres of wetlands will be impacted by flooding. In addition, the applicant is proposing the construction of a 25'-wide dirt road along the northern property boundary. The proposed road will cross three separate wetland areas. A total of approximately 0.36 acres of wetlands will be filled as a result of the proposed road construction. The purpose of the proposed work is to create a greentree reservoir for the private use of the applicant and to construct a road to connect upland portions of the property where the applicant is planning a residential development.

3 SEPTEMBER 2004

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 7.1 acres of freshwater wetlands located well upstream from estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

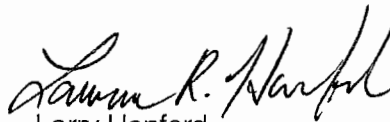
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

3 SEPTEMBER 2004

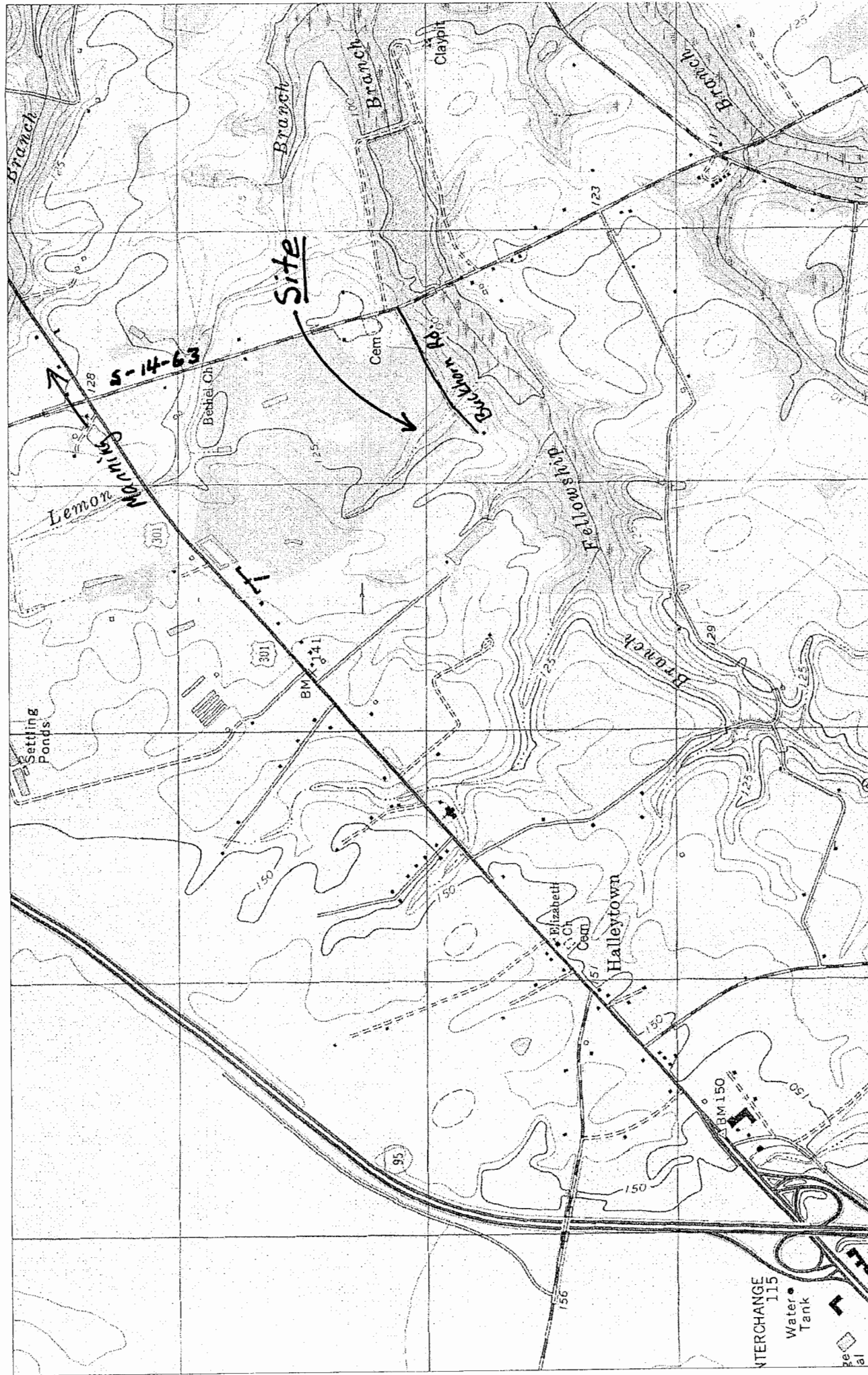
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



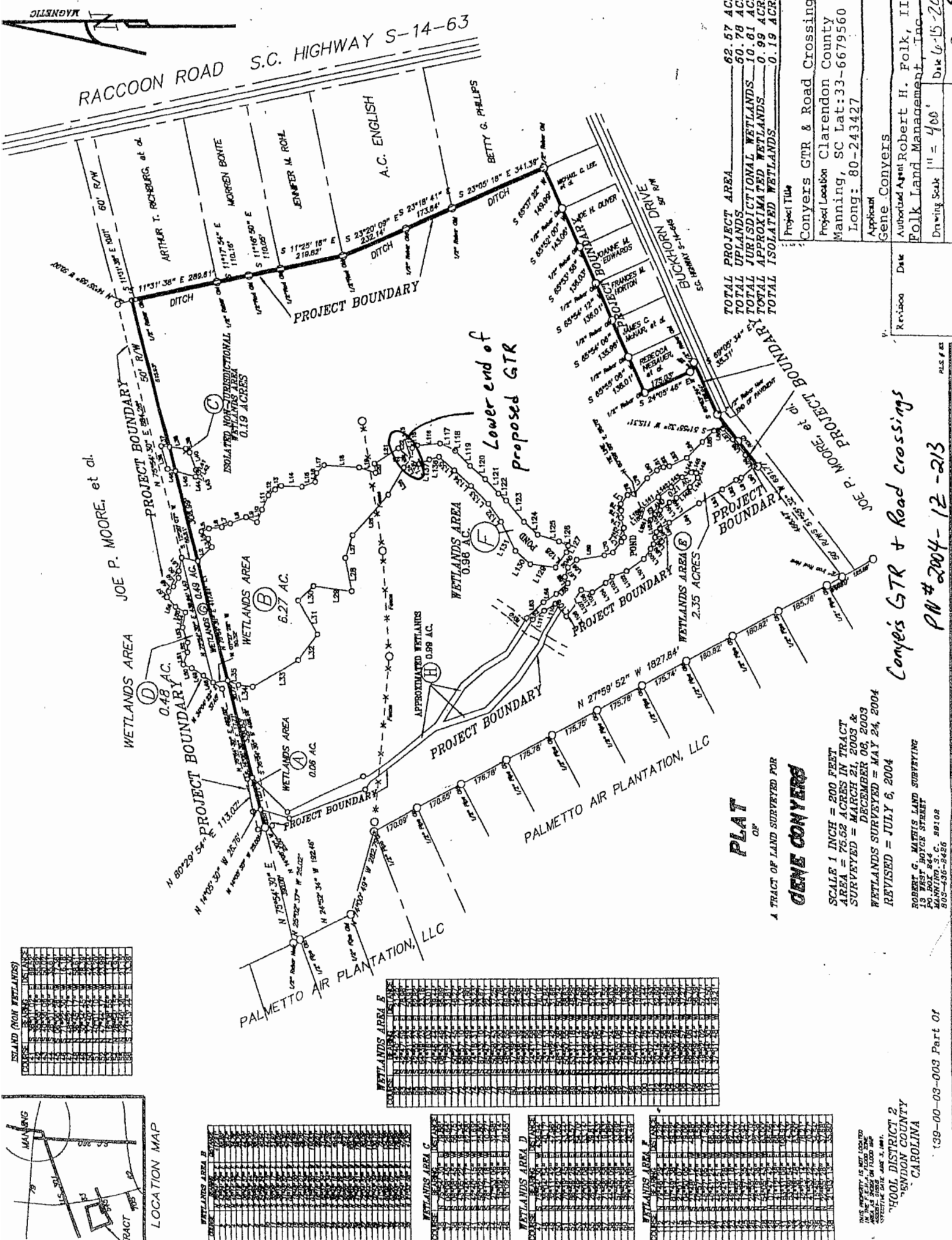
Larry Hanford
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



Canyons GTR & Road crossings

PN # 2004-12-213

Sheet 1 of 5



TOTAL PROJECT AREA	62.57 ACRES
TOTAL UPLANDS	50.78 ACRES
TOTAL JURISDICTIONAL WETLANDS	10.81 ACRES
TOTAL APPROXIMATED WETLANDS	0.99 ACRES
TOTAL ISOLATED WETLANDS	0.19 ACRES

Project Title	Conyers GTR & Road Crossing
Project Location	Clarendon County
Manning, SC Lat:	33-6679560
Long:	80-243427
Applicant	Gene Conyers
Authorized Agent	Robert H. Folk, III
Folk Land Management, Inc.	
Drawing Scale	1" = 400'
Date	6-15-2004
Revision	2 of 5

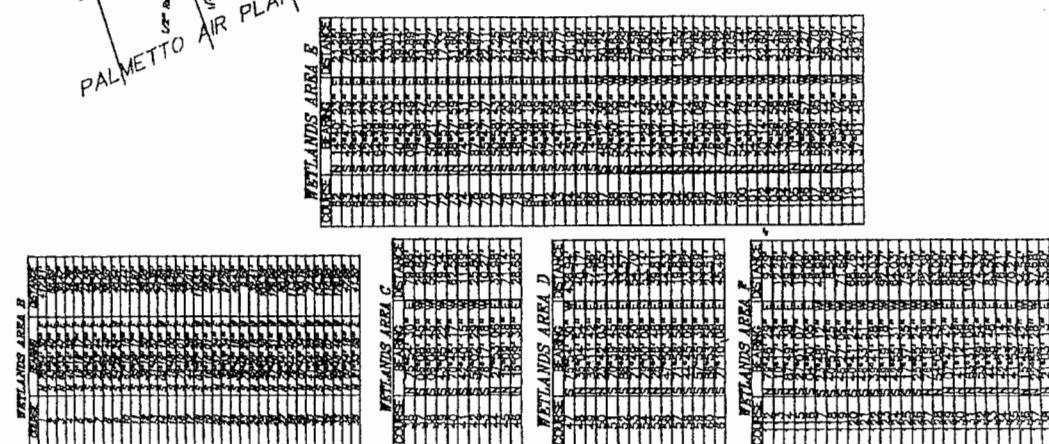
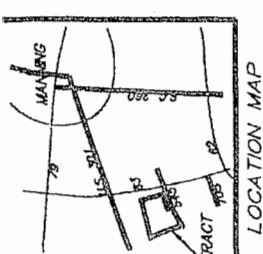
PLAT
OF
GENE CONYERS

A TRACT OF LAND SURVEYED FOR

SCALE 1 INCH = 200 FEET
AREA = 75.53 ACRES IN TRACT
SURVEYED = MARCH 21, 2003 &
REVISITED = DECEMBER 08, 2003
WETLANDS SURVEYED = MAY 24, 2004
REVISED = JULY 6, 2004

ROBERT H. FOLK, III
FOLK LAND MANAGEMENT, INC.
P.O. BOX 244
MANNING, S.C. 29108
803-456-8426

Conyers GTR & Road crossings
PN# 2004-12-213



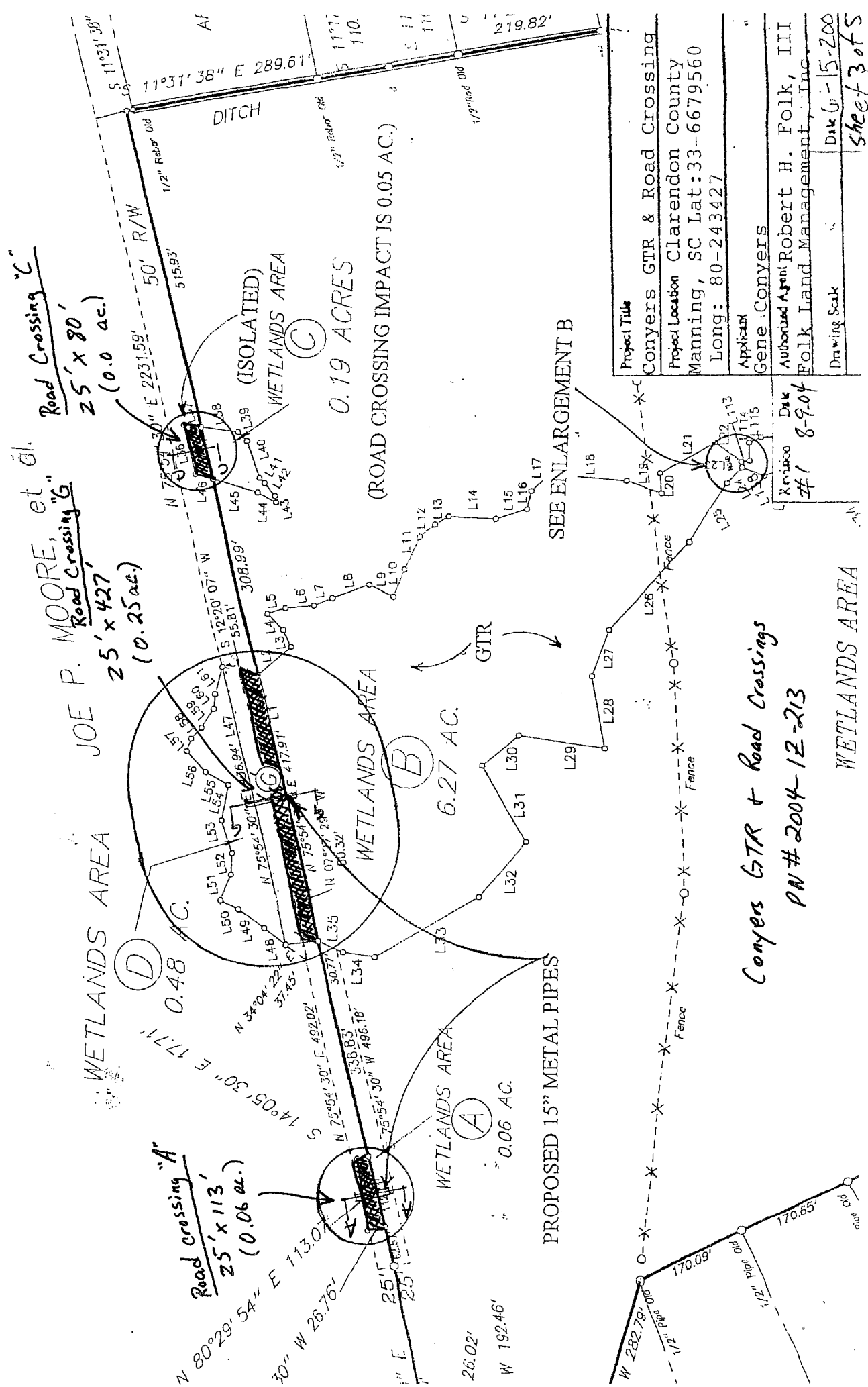
THIS PROPERTY IS NOT LOCATED
IN THE 100-YEAR FLOOD ZONE
AS SHOWN ON THE 1:50,000
SCALE USGS MAP, DATE 3/19/81.

HOOL DISTRICT 2
CLARENDON COUNTY
SOUTH CAROLINA

139-00-03-003 Part Of

ENLARGEMENTS

ROAD CROSSING A, G, C



Conyers GTR + Road Crossings

PN# 2004-12-213

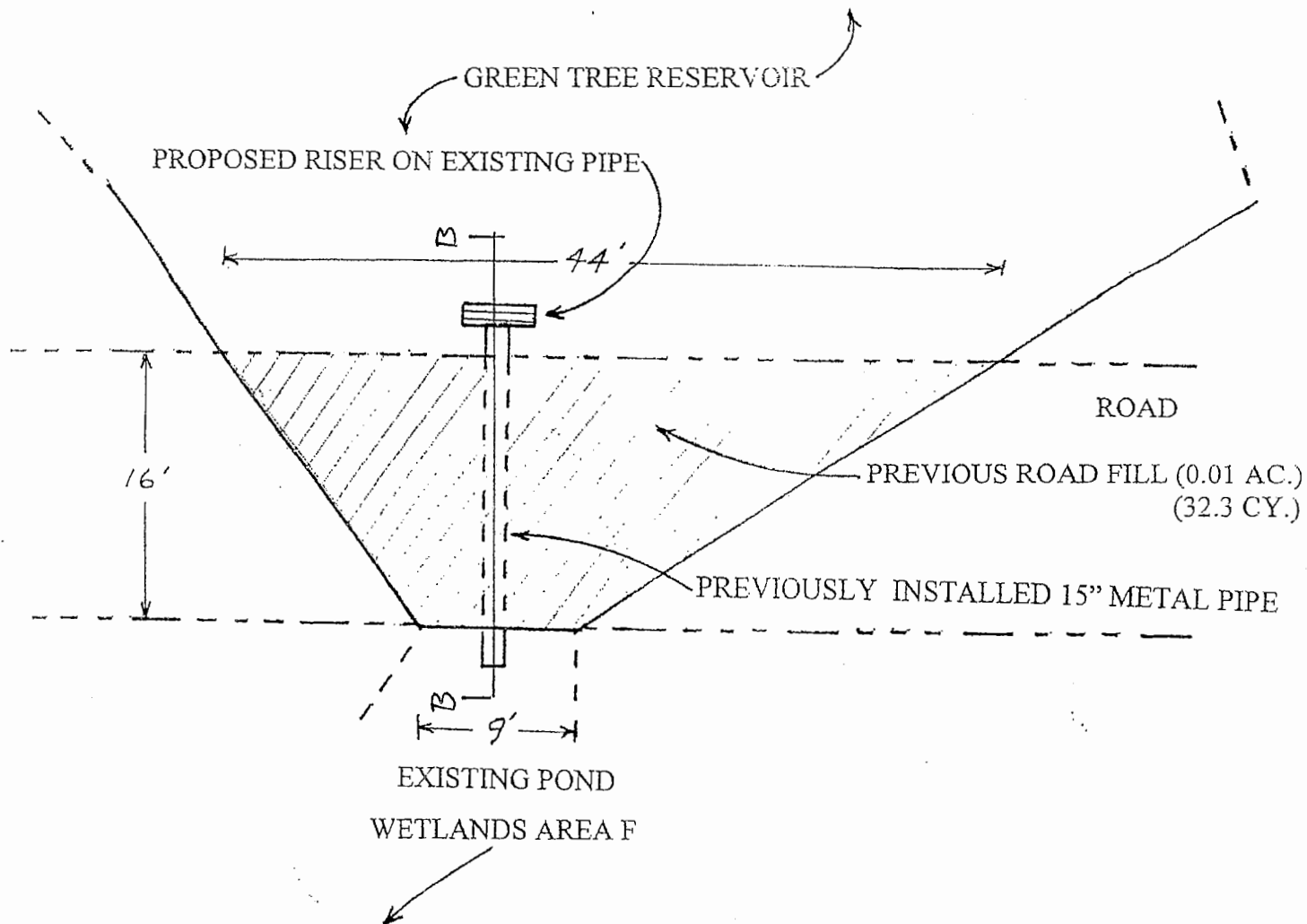
WETLANDS AREA

Project Title	Conyers GTR & Road Crossing
Project Location	Clarendon County Manning, SC Lat:33-6679560 Long: 80-243427
Applicant	Gene Conyers
Authorized Agent	Robert H. Folk, III Folk Land Management, Inc.
Drawing Scale	1" = 15'-200'
	Sheet 3 of 5

ENLARGEMENT B

PLAN VIEW

GREEN TREE RESERVOIR ROAD CROSSING/DIKE & WATER CONTROL STRUCTURE

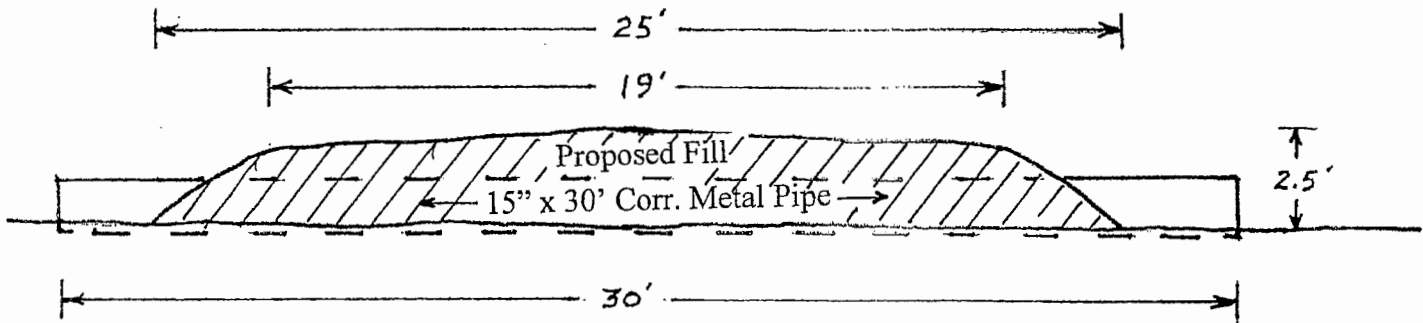


PN# 2004-12-213

Project Title		Conyers GTR & Road Crossing	
Project Location		Clarendon County Manning, SC Lat:33-6679560 Long: 80-243427	
Applicant		Gene Conyers	
Revision	Date	Authorized Agent Robert H. Folk, III Folk Land Management, Inc.	
#1	8-9-04	Drawing Scale	1"=10'
Application #		Date 6-15-2004	
		Sheet 4 of 5	

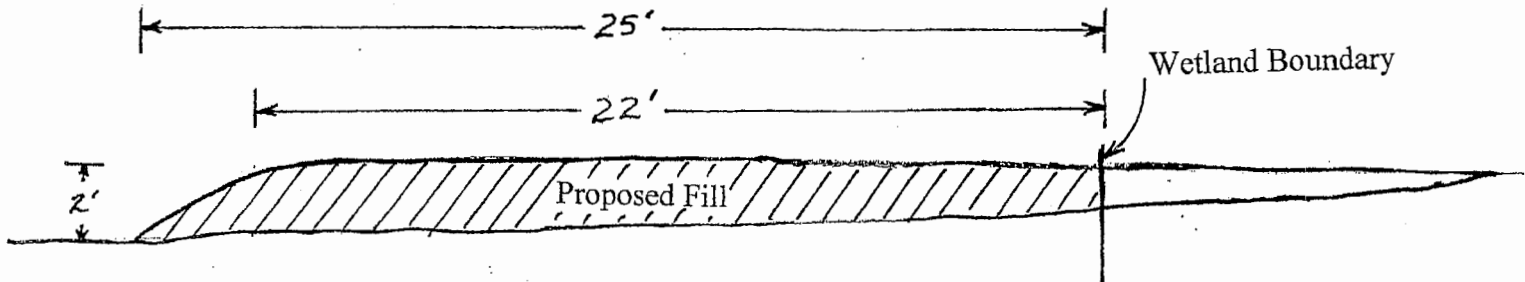
CROSS SECTION A-A, G-G

Crossing A: 194 yd³ fill
Crossing G: 790 yd³ fill

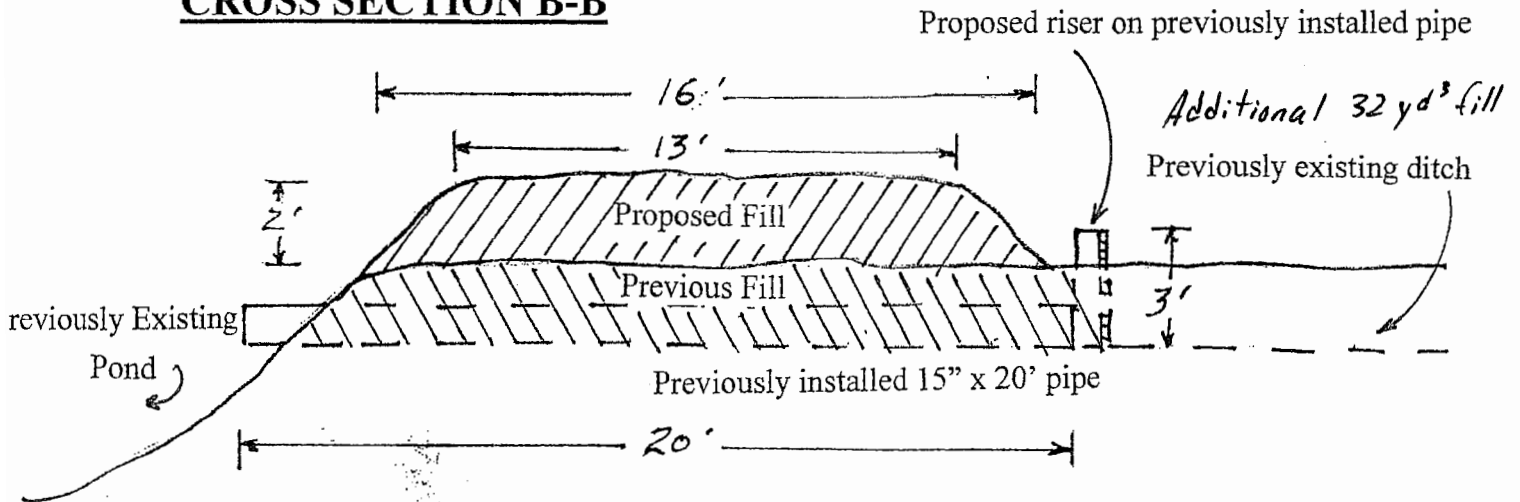


CROSS SECTION C-C

Crossing C: 81 yd³ fill



CROSS SECTION B-B



Project Title		Conyers GTR & Road Crossing	
Project Location		Clarendon County	
Manning, SC Lat: 33-6679560		Long: 80-243427	
Applicant		Gene Conyers	
Revision #1	Date 8-9-04	Authorized Agent Robert H. Folk, III Folk Land Management, Inc.	
Drawing Scale 1" = 10'		Date 8-9-04	
Application #		Sheet 5 of 5	

PN # 2004-12-213